

ORIGINAL

DOCKET FILE COPY ORIGINAL

UNITED STATES FEDERAL COMMUNICATIONS COMMISSION

In Re Applications of:)	MM Docket No. 99-153
)	
READING BROADCASTING, INC.)	File No.: BRCT-940407KF
)	
For Renewal of License of)	
Station WTVE(TV), Channel 51)	
at Reading, Pennsylvania)	
)	
and)	
)	
ADAMS COMMUNICATIONS)	File No.: BPCT-94063KG
CORPORATION)	
)	
For Construction Permit for)	
a New Television Station to)	
Operate on Channel 51,)	
Reading, Pennsylvania)	

Volume: 9

Pages: 618 through 750

Place: Washington, D.C.

Date: January 10, 2000

JAN 24 2 47 PM '00

FCC-0ALJ RCD

HERITAGE REPORTING CORPORATION

Official Reporters
1220 L Street, N.W., Suite 600
Washington, D.C. 20005-4018
(202) 628-4888
hrc@concentric.net

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In Re Applications of:)	MM Docket No. 99-153
)	
READING BROADCASTING, INC.)	File No.: BRCT-940407KF
)	
For Renewal of License of)	
Station WTVE(TV), Channel 51)	
at Reading, Pennsylvania)	
)	
and)	
)	
ADAMS COMMUNICATIONS)	File No.: BPCT-94063KG
CORPORATION)	
)	
For Construction Permit for)	
a New Television Station to)	
Operate on Channel 51,)	
Reading, Pennsylvania)	

Room TWA-363
FCC
445 12th Street, N.W.
Washington, D.C. 20554

Monday,
January 10, 2000

The parties met, pursuant to the Notice of the
Judge, at 9:33 a.m.

BEFORE: HONORABLE RICHARD L. SIPPEL
Administrative Law Judge

APPEARANCES:

On Behalf of Reading Broadcasting, Inc.:

THOMAS J. HUTTON, Esquire
RANDALL W. SIFERS, Esquire
JANE E. GILMORE, Legal Assistant
Holland & Knight, LLP
2100 Pennsylvania Avenue, N.W.
Suite 400
Washington, D.C. 20037-3202
(202) 955-3000

Heritage Reporting Corporation
(202) 628-4888

APPEARANCES: (Continued)

On behalf of Adams Communications Corp.:

HARRY F. COLE, Esquire
GENE BECHTEL, Esquire
Bechtel & Cole, Chartered
1901 L Street, N.W., Suite 250
Washington, D.C. 20036
(202) 833-4190

On Behalf of the Federal Communications
Commission:

JAMES SHOOK, Esquire
Federal Communications Commission
Enforcement Bureau
445 12th Street, S.W.
Washington, D.C. 20554
(202) 418-1448

Heritage Reporting Corporation
(202) 628-4888

I N D E X

<u>WITNESSES:</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u>	<u>RECROSS</u>	<u>VOIR DIRE</u>
Micheal L. Parker	622	629 747	--	--	--

Examination by the Judge: 740

Hearing Began: 9:33 a.m.
Recess Began:

Hearing Ended: 12:53 p.m.
Recess Ended:

E X H I B I T S

	<u>IDENTIFIED</u>	<u>RECEIVED</u>	<u>REJECTED</u>
<u>Reading:</u>			
14	624	629	--
<u>Adams:</u>			
18	630	631	--
19	632	--	--
20	641	645	--
21	646	652	--
22	650	651	--
23	651	652	--
24	653	656	--
25	656	658	--
13A	659	659	--
26	674	--	--
27	689	692	--
28	693	706	--
29	695	706	--
30	696	706	--
31	707	707	--
32	708	708	--
33	711	--	724
34	717	--	724
35	718	--	724
36	718	--	724
37	719	--	724
38	724	--	727

P R O C E E D I N G S

(9:33 a.m.)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

JUDGE SIPPEL: Mr. Hutton, is Mr. Parker ready to testify?

MR. HUTTON: Yes, he is.

JUDGE SIPPEL: Let me administer the oath, sir, before you sit down.
Whereupon,

MICHEAL L. PARKER,
having been first duly sworn, was called as a witness and was examined and testified as follows:

JUDGE SIPPEL: Please be seated. There is water for you in that jug. Just take the top off before you pour.

THE WITNESS: Oh, all right.

JUDGE SIPPEL: So it doesn't fall into the cup.

Does anybody have any preliminary matters before we proceed with the witness?

Hearing none, Mr. Hutton, your witness.

MR. HUTTON: Thank you, Your Honor.

DIRECT EXAMINATION

BY MR. HUTTON:

Q Mr. Parker, will you identify your name and address for the record.

A My name is Micheal, M-I-C-H-E-A-L, L. Parker, and I live at 22720 Southeast 410th Street, in Enumclaw. That's

1 spelled E-N as in "Nancy," U-M as in "Mike," C-L-A-W,
2 Washington 98022.

3 Q Mr. Parker, do you have in front of you a binder
4 entitled "Reading Broadcasting, Inc. Hearing Exhibits Volume
5 1"?

6 A Yes, I do.

7 Q Would you turn to Exhibit 3 in that binder.

8 A Yes.

9 Q Exhibit 3 is entitled "Past Broadcast Experience."
10 It's a three-page document with a one-page supporting
11 declaration executed by you?

12 A That is correct.

13 Q Do you have any changes to make in that
14 declaration at this time?

15 A No, I do not.

16 Q Turning now to Exhibit 4, it's entitled
17 "Diversification of Media Outlets." It is a two-page
18 document with a one-page supporting declaration.

19 Do you have any changes to make in that exhibit?

20 A No, I do not.

21 Q And turning now to Exhibit 5, which is a
22 three-page exhibit, followed by an Appendix A of four pages,
23 plus a one-page supporting declaration.

24 Do you have any changes to make in that exhibit?

25 A No, I do not.

1 MR. HUTTON: Your Honor, we have also prepared an
2 exhibit which outlines the reporting failure that we have
3 been able to document during the license renewal term in
4 question, and I'd like to exchange that at this time and
5 conduct brief direct examination of Mr. Parker in connection
6 with that.

7 JUDGE SIPPEL: Well, that can be marked as an
8 exhibit, a proposed exhibit. Since there is not going to be
9 anything coming in on Brenda Helregel, this would be -- from
10 my count anyway -- this would be Reading Exhibit 14 for
11 identification.

12 Does anybody have any problem with that numbering?

13 MR. HUTTON: That's fine.

14 JUDGE SIPPEL: All right, you've withdrawn Brenda
15 Helregel. We'll substitute for 14 Reading Broadcast exhibit
16 entitled "Reporting Failures," consisting of a cover page
17 and two pages of substantive material. That's marked for
18 identification at this time as Reading Exhibit 14.

19 (The document referred to was
20 marked for identification as
21 Reading Exhibit No. 14.)

22 BY MR. HUTTON:

23 Q Mr. Parker, I would like to refer you to the first
24 paragraph of the first page of that exhibit. The heading is
25 "Management Services Agreement."

1 A Yes.

2 Q Can you describe for me what the Management
3 Services Agreement was?

4 A Well, it went through a number of renditions.
5 Originally, when I came to Reading, Pennsylvania, I
6 negotiated with Mr. Linton and Mr. Aurandt an agreement
7 whereby I would in effect come in as a workout specialist to
8 turn the station around and bring it out of bankruptcy.
9 That was the beginning of the agreement.

10 We then -- the bank would not authorize that
11 agreement at that point, and I believe I entered a
12 short-term agreement to put together a plan. Then we
13 negotiated, it seems like for years, over what the final
14 document would be, and we finally obtained Bankruptcy Court
15 approval, and I believe the exact date of that is in the
16 record, when we obtained Bankruptcy Court approval. But
17 that document had changed a great deal from the beginning to
18 that point.

19 Q And do you know --

20 A It was kind of a work in progress, I guess is how
21 I want to describe it.

22 Q And after you received Bankruptcy Court approval,
23 do you know if Reading Broadcasting, Inc. filed that
24 agreement with the FCC?

25 A At some juncture, it was included somewhere or

1 alluded to. I was under the impression it was filed. Now,
2 I'm not as sure as I would have been previously.

3 Q All right. Turning to the second bullet point in
4 that --

5 JUDGE SIPPEL: Before you move on to that, do we
6 have a beginning point and an ending point, dates, that is,
7 for this so-called work in progress?

8 MR. HUTTON: Well, our view is that it didn't
9 become effective until there was Bankruptcy Court approval,
10 and that was obtained August 28, 1990.

11 JUDGE SIPPEL: What is the starting date, the
12 approximate starting date of this work in progress? I mean,
13 this is how he's testified to it. I'd like to try and focus
14 on an area -- on a date, a time area, that's right up front,
15 if possible.

16 MR. HUTTON: All right. We attached as Exhibit D
17 to our November 19, 1999 Opposition to Motion to Enlarge
18 Issues, a copy of what we think is the initial version of
19 that agreement, and it bears a date of May 28, 1989.

20 THE WITNESS: That would be correct, because I
21 remember I was there during my birthday, which is May 23rd.

22 JUDGE SIPPEL: All right. Well, we will consider
23 then that this work in progress, this time frame is
24 somewhere around May of '89 through August of 1990.

25 Is that fair? I should ask that to the witness.

1 THE WITNESS: Yes. Yes, Your Honor, it is.

2 JUDGE SIPPEL: All right. Go ahead.

3 MR. HUTTON: All right.

4 BY MR. HUTTON:

5 Q And then the -- I'd like you to refer to the
6 second bullet point in that paragraph and tell me if what's
7 stated there is consistent with your understanding.

8 A Yes, I believe that is correct.

9 Q Okay. Turning now to the next item, which is
10 identified as FCC Form 315, Application for Consent to
11 Transfer Control of WTVE(TV) filed November 19, 1991, it
12 lists a number of omissions or incorrect statements, and I'd
13 like you to go through those and tell me if that is
14 consistent with your understanding at this time.

15 A That is -- that is my understanding at this time
16 after reviewing the records. That is correct.

17 JUDGE SIPPEL: Did you personally review them?

18 THE WITNESS: Yes, I did, Your Honor.

19 BY MR. HUTTON:

20 Q ***PICK UP PROOFING HERE ON PRIMARY TAPE 1***And
21 the next item is FCC Form 323, Post-Transfer Control and
22 Annual Ownership Report, filed April 16, 1992, and it
23 likewise lists a number of omissions and errors, and I'd
24 like you to state whether that's consistent with your
25 understanding at this time.

1 A Yes, it is.

2 Q All right.

3 A Again, after reviewing the records, I'm somewhat
4 embarrassed that I missed all this.

5 Q The next item is entitled "Annual Ownership
6 Certification Letter for 1993," filed April 23, 1993,
7 certifying the information reported in the 1992 ownership
8 report is accurate. And I'd like to ask if that's
9 consistent with your understanding at this time.

10 A Yes, that is correct.

11 Q And the final item is entitled, "FCC Form 323,
12 Annual Ownership Report for 1994," filed March 31, 1994, and
13 it indicates that everything is listed correctly, and I
14 would like to ask you if that's consistent with your
15 understanding at this time.

16 A That is. That is correct.

17 MR. HUTTON: Your Honor, I would like to move
18 Exhibit 14 into evidence.

19 JUDGE SIPPEL: Is there any objection?

20 MR. BECHTEL: No objection.

21 JUDGE SIPPEL: Mr. Shook?

22 MR. SHOOK: No, Your Honor.

23 JUDGE SIPPEL: What has been marked for
24 identification as Reading Exhibit 14 is now received into
25 evidence as Reading Exhibit 14.

1 (The document referred to,
2 previously identified as
3 Reading Exhibit No. 14, was
4 received in evidence.)

5 MR. HUTTON: The witness is available for
6 cross-examination.

7 JUDGE SIPPEL: Okay, and according to my --
8 according to my accounting sheet for exhibits, all of these
9 exhibits, that you have had them identified, that is, past
10 broadcast experience, diversification and testimony, are now
11 in evidence.

12 All right, you may proceed then, Mr. Bechtel.
13 Your witness, sir.

14 CROSS-EXAMINATION

15 BY MR. BECHTEL:

16 Q Good morning, Mr. Parker.

17 A Good morning.

18 Q At your deposition giving your various political
19 interests, I have some question as to how I should address
20 you, and you agreed it would be Mr. Parker; is that correct?

21 A That is correct.

22 MR. BECHTEL: And I am going to hand to the
23 witness, the Court and counsel an exhibit, Debtor's
24 Disclosure Statement, with a total of ten numbered pages,
25 and ask that it be marked for identification as Adams

1 Exhibit 18.

2 JUDGE SIPPEL: Thank you, sir.

3 Yes, that would be the next Adams exhibit,
4 according to my count, so the reporter will mark this
5 document entitled "Debtor's Disclosure Statement" as Adams
6 Exhibit 18 for identification.

7 (The document referred to was
8 marked for identification as
9 Adams Exhibit No. 18.)

10 BY MR. BECHTEL:

11 Q And I direct your attention to the passages
12 commencing on the second numbered page wherein there is a
13 brief summary of your many accomplishments, sir, including
14 in the second paragraph on your management staff, your years
15 of working with FCC attorneys, engineers, investment bankers
16 and syndicated programmers relative to television broadcast
17 stations.

18 Is that an accurate statement?

19 A Yes.

20 Q And you had the fortune, good or bad, to deal with
21 a number of communications attorneys throughout your --

22 A I can show you how to make a quick profit in the
23 TV business if I didn't have to deal with so many FCC
24 attorneys.

25 Q And we have, commencing on numbered page 3, a

Heritage Reporting Corporation
(202) 628-4888

1 brief summary of Mr. Mattmiller's accomplishments as well
2 and we are happy to welcome him to the hearing room this
3 morning, do we not?

4 A That's correct.

5 Q And finally, there is a passage regarding another
6 employee of the station, Mr. Bendetti.

7 MR. BECHTEL: I move Exhibit 18 in evidence.

8 JUDGE SIPPEL: Any objections?

9 MR. HUTTON: No objection.

10 MR. SHOOK: No objections.

11 JUDGE SIPPEL: Then the document marked as Adams
12 18 for identification is received in evidence, the Debtor's
13 Disclosure Statement.

14 (The document referred to,
15 previously identified as Adams
16 Exhibit No. 18, was received
17 in evidence.)

18 THE WITNESS: This is only a partial document that
19 we used.

20 MR. BECHTEL: That's correct.

21 THE WITNESS: Okay.

22 MR. BECHTEL: I just wanted to cover the
23 management in the document.

24 THE WITNESS: Okay.

25 JUDGE SIPPEL: This is only going to be relied on

1 insofar as it's used in the cross-examination.

2 THE WITNESS: I understand. Okay.

3 MR. BECHTEL: Next, I will hand to the witness,
4 Court and counsel a document that is 16 pages in length
5 entitled "Management Services Agreement."

6 JUDGE SIPPEL: The reporter will mark this
7 document as Adams Exhibit 19 for identification.

8 (The document referred to was
9 marked for identification as
10 Adams Exhibit No. 19.)

11 JUDGE SIPPEL: Is there a date on this particular
12 document that I can refer to?

13 MR. BECHTEL: I'm sorry?

14 JUDGE SIPPEL: Is there a date on the document?

15 MR. BECHTEL: Yes, I believe there is. Hold on
16 one second.

17 (Pause.)

18 MR. BECHTEL: May 28, 1989, is the date of the
19 notary signatures.

20 JUDGE SIPPEL: All right, we will work with that
21 date for now, dated May 28, 1989. This is Adams Exhibit No.
22 19 for identification.

23 BY MR. BECHTEL:

24 Q Now, I have a question concerning just a couple of
25 portions of this exhibit, and if these were subsequently

1 modified during the work in process experience, please let
2 me know.

3 First, I would direct your attention to --

4 JUDGE SIPPEL: The witness called it work in
5 progress, not process, work in progress.

6 MR. BECHTEL: I apologize.

7 BY MR. BECHTEL:

8 Q I direct you to page 5, where in paragraph 5(a)
9 there is a reference to an option for Partel to acquire 25
10 percent equity interest.

11 Has that provision been, in substance, continued
12 throughout the document as it developed?

13 A Well, I think you called it an option. I wouldn't
14 call it an option. It was a -- it was a provision whereupon
15 if we were successful in bringing the company out of
16 bankruptcy, that had to happen before there was any stock
17 issued, but this provision, I believe, remained intact in
18 the agreement in its various forms.

19 Q And refer to page 8 --

20 A Although I need to go back. The company did not
21 receive 25 percent equity at the time we came out of
22 bankruptcy. It was actually somewhat reduced because -- I'm
23 trying to remember the various reasons, but there were
24 several issues that lowered that amount, and then the
25 company also received 5.25 percent for the bank, so there

1 was a combination that exceeded 25 percent, but the actual
2 benefit to the company was less than 25 percent.

3 JUDGE SIPPEL: This company that you're referring
4 to is identified in the document as Partel, Inc.?

5 THE WITNESS: That is correct.

6 BY MR. BECHTEL:

7 Q In the ownership report that you filed following
8 consummation of the notice 323, April 9, 1992, Partel's
9 interests were in excess of 25 percent?

10 A That's -- again, as I explained, that is
11 undoubtedly correct in terms of voting shares of the
12 company, but there is a 6.5 or 6.25 percent warranty from
13 Partel to the bank that is exercisable for a dollar. So the
14 economic benefit to the company was less than 25 percent in
15 the end.

16 Q Except that the total was approximately 31
17 percent, so the net was approximately 25 percent; is that
18 correct?

19 A No, I don't -- I don't believe that that is
20 accurate.

21 Q I really don't want to mislead the record, and I'm
22 operating from my memory, so what I need is a copy of the
23 ownership report.

24 Can we borrow someone else's volume? I don't
25 think ours is here.

1 JUDGE SIPPEL: Let's go off the record till we
2 locate the document.

3 (Discussion off the record.)

4 JUDGE SIPPEL: Okay, the witness has the document
5 before him. Would you identify for the record what this
6 document is now, please, Mr. Bechtel.

7 MR. BECHTEL: Yes. We are looking at the
8 ownership report bearing an "as of" date of April 9, 1992,
9 and we're looking at the listing of the stockholders, and
10 under Partel, Inc. the listing showed 29.69 percent, so I am
11 to a degree corrected because it dropped six percent off of
12 that. Partel's interest is about 24 percent.

13 THE WITNESS: 23-something, I think. 6.25, 6.5
14 percent.

15 BY MR. BECHTEL:

16 Q Now, on the preceding page there is a reference to
17 STV Reading, Inc. Do you see that?

18 A Yes, I do.

19 Q At that time were you president of STV Reading,
20 Inc.?

21 A No, I was not.

22 Q Did you have an equity interest in it?

23 A No, I did not.

24 Q When did you resign as president of STV Reading,
25 Inc.?

1 A I think the day after the second shareholder
2 meeting.

3 MR. SHOOK: Excuse me. What was that question? I
4 didn't catch the question.

5 MR. BECHTEL: He said the day after the second
6 shareholder meeting.

7 MR. SHOOK: No, I heard his answer. I didn't hear
8 your question.

9 THE WITNESS: When did I resign as STV Reading,
10 Inc's president?

11 I should say --

12 JUDGE SIPPEL: Well, that's all right. You
13 answered his question.

14 THE WITNESS: Well, I'm not sure I did. That's
15 why I was --

16 JUDGE SIPPEL: Mr. Bechtel, do you want him to
17 answer further?

18 BY MR. BECHTEL:

19 Q If you have a correction --

20 A Yes, yes, I do.

21 Q -- of your answer, of course I would want it.

22 A For two shareholder meetings, I held myself out as
23 president and voted the shares. Subsequent events proved to
24 me that, one, I wasn't entitled to vote the shares, and was
25 never the president of STV Reading, Inc.

1 Q We're now looking at page 8 of Exhibit 19, and
2 I've asked you to look at the paragraph --

3 A Exhibit 19?

4 Q Exhibit 19, the Management Services Agreement.

5 A Oh, I'm sorry.

6 Q -- the ownership report.

7 JUDGE SIPPEL: The ownership report, that was in
8 Reading Exhibit 11 for the -- I'm saying that just for the
9 record.

10 THE WITNESS: You said page 19?

11 BY MR. BECHTEL:

12 Q On the Management Services Agreement that I just
13 put in evidence, or offered to, identified as Exhibit 19.

14 A Oh, okay. What page were you --

15 Q And now I have asked you to look at page 8.

16 A Page 8. I'm sorry.

17 Q And there is a paragraph Roman Numeral III.

18 A Yes.

19 Q And did the substance of that paragraph remain in
20 this document as it went through the evolutionary process?

21 A Yes, it did.

22 (Pause.)

23 MR. BECHTEL: I now wish to direct attention of
24 the witness, Court and counsel to our exhibit on RBI
25 Directors Meeting Minutes. This is in the volume for '89 to

1 '90, and it's a meeting of September 13, 1989, and once all
2 parties have that before them, I have a question.

3 JUDGE SIPPEL: What's the exhibit again?

4 MR. BECHTEL: This is RBI Directors Meeting
5 Minutes, 1989 - 1990, page 8.

6 JUDGE SIPPEL: Exhibit 14.

7 THE WITNESS: Sorry. I --

8 JUDGE SIPPEL: Take your time. Take your time,
9 Mr. Parker. Be sure you have what he is asking about.

10 THE WITNESS: All right, I have the minutes in
11 front of me. Is there a specific page?

12 MR. BECHTEL: I want to make sure the --

13 (Pause.)

14 JUDGE SIPPEL: What minute is that that you're
15 referring to?

16 MR. BECHTEL: Judge, it's page 8 on the volume --

17 JUDGE SIPPEL: I have it.

18 MR. BECHTEL: -- 1989 to 1990.

19 JUDGE SIPPEL: I have it.

20 BY MR. BECHTEL:

21 Q Now, I'll direct your attention to page 9 of that
22 exhibit where there is a discussion of a possibility of a
23 sale of the station, and I specifically address your
24 attention to paragraph 6 at the bottom of the page.

25 A I'm sorry. I don't have a page 9.

1 MR. HUTTON: Your Honor, I think --

2 MR. BECHTEL: The lower right-hand side.

3 MR. HUTTON: Yes, the witness needs to refer to
4 the page numbers --

5 THE WITNESS: Oh.

6 MR. HUTTON: -- on the right-hand.

7 THE WITNESS: I see what you are saying. Okay.

8 JUDGE SIPPEL: Well, Mr. Sifers can stay with him
9 until he gets the page.

10 MR. HUTTON: Okay, I think he has it.

11 THE WITNESS: I've got it.

12 JUDGE SIPPEL: You've got it?

13 THE WITNESS: I've got it, Your Honor.

14 JUDGE SIPPEL: All right.

15 THE WITNESS: I didn't see --

16 JUDGE SIPPEL: This is all Adams Exhibit 14 for
17 identification.

18 THE WITNESS: Okay.

19 JUDGE SIPPEL: This is part of that package.

20 THE WITNESS: Okay. I'm sorry. I lost track of
21 your question.

22 BY MR. BECHTEL:

23 Q My question is, it's true, is it not, that as of
24 the date of this meeting, which is September 13, 1989, the
25 so-called quarter of a million dollar Golden Parachute

1 provision in the Management Services Agreement was regarded
2 as an offer to Reading Broadcasting?

3 A That's correct.

4 (Pause.)

5 MR. BECHTEL: We're done with that.

6 I want to distribute --

7 JUDGE SIPPEL: That still hasn't been received in
8 evidence. Do you have any intention of moving it in at this
9 time? Adams 14 was identified.

10 MR. BECHTEL: I understand that, sir. I was
11 planning to introduce all of those minutes in evidence at a
12 certain time. But I thought perhaps as we went through the
13 day, the value of the whole body of evidence would be ---

14 JUDGE SIPPEL: That's fine. That's fine.

15 MR. BECHTEL: But I appreciate that.

16 This document that I am to distribute starts with
17 a cover sheet under the -- In the United States Bankruptcy
18 Court for the Eastern District of Columbia, a Debtor's
19 Amended Sixth Modification, et cetera, is the caption, and
20 it runs nine pages in length, and I would ask that this be
21 marked for identification as Adams Exhibit 20.

22 JUDGE SIPPEL: The document will be marked by the
23 reporter when she receives it as Adams Exhibit 20 for
24 identification.

25 (The document referred to was

Heritage Reporting Corporation
(202) 628-4888

1 marked for identification as
2 Adams Exhibit No. 20.)

3 MR. COLE: Your Honor, while Mr. Bechtel is
4 distributing that, I think the record might be clarified. I
5 believe he misspoke when the caption was indicated to be the
6 District of Columbia. I believe the caption is District of
7 Pennsylvania.

8 JUDGE SIPPEL: I see it, yes. United States
9 Bankruptcy Court for the Eastern District of Pennsylvania.
10 Thank you, Mr. Cole.

11 BY MR. BECHTEL:

12 Q The purpose of this offer is a very simple one. I
13 wanted to fix in my own head after the years of work and
14 number of documents which I do not purport to understand in
15 detail, there came an effective date of the court-approved
16 plan. And if I go to the second page following this cover
17 sheet, it states, "Effective date of the plan, September 17,
18 1991."

19 My question is, was that the effective date of the
20 plan?

21 A Yes, it was.

22 JUDGE SIPPEL: What's that date again?

23 THE WITNESS: September 17 --

24 MR. BECHTEL: September 17, 1991.

25 I move Exhibit 20 in evidence.

1 JUDGE SIPPEL: Any objection?

2 MR. HUTTON: Yes, I object on the grounds of
3 relevance.

4 JUDGE SIPPEL: Do you want to make a short
5 proffer, Mr. Bechtel?

6 MR. HUTTON: Relevance.

7 MR. BECHTEL: I just described it. It's the only
8 purpose I have put it in evidence.

9 JUDGE SIPPEL: To show that it was final -- the
10 final version or the final modification?

11 MR. BECHTEL: I described it as a document which
12 shows that the effective date of the plan was September 17,
13 1991. That's the purpose.

14 JUDGE SIPPEL: Well, he wants to know what
15 relevance it has to the issue in the case. That's what
16 Mr. Hutton is asking for.

17 MR. BECHTEL: It's part of the factual mosaic,
18 Mr. Parker's role before the Bankruptcy Court, the
19 conclusion of that, and then the implementation of the
20 bankruptcy plan and the number of events that transpired as
21 we go through a number of the exhibits. I just wanted to
22 start there, that's all.

23 JUDGE SIPPEL: You are claiming credit,
24 Mr. Hutton, for Mr. Parker succeeding in taking this
25 company, among others, out of bankruptcy; isn't that

1 correct?

2 MR. HUTTON: We are, Your Honor, but that doesn't
3 mean we have to introduce the record of the bankruptcy
4 proceeding into this case.

5 JUDGE SIPPEL: Well, it doesn't mean that we have
6 to. I understand that. But it certainly is relevant
7 information and it's not burdensome to the record. I would
8 prefer to take it in that way than to have the witness
9 testify to it.

10 MR. HUTTON: Well, it's my position that the
11 so-called factual mosaic doesn't add up to anything that's
12 relevant to the license renewal for WTVE, and I'm going to
13 object to the introduction of this and the rest of the
14 factual mosaic.

15 JUDGE SIPPEL: Well, now that we are forewarned,
16 let me ask Mr. Shook for the Bureau's position on this, just
17 this exhibit.

18 MR. SHOOK: Your Honor, I can understand
19 Mr. Hutton's objection to this page. It may be that the
20 painting that Mr. Bechtel wants to complete is not -- there
21 is not enough of it on the canvas yet for all of us to
22 understand quite where this is going. It could well be that
23 this is very relevant. To me, though, at this stage, it's
24 not clear why.

25 JUDGE SIPPEL: Now, at what stage is this -- is

1 the nature of this exhibit -- you object to it being
2 introduced into evidence? Has there been a motion to
3 introduce it into evidence yet?

4 MR. HUTTON: Yes, there was.

5 MR. BECHTEL: May I be heard?

6 JUDGE SIPPEL: Well, you will notice that I am
7 carefully keeping away from this portrait-taking analogy,
8 but I will listen to one more point on this and then I'm
9 going to rule.

10 MR. BECHTEL: I'm happy to withdraw everything
11 except the passage which says the effective date in
12 September 17th. I don't think the rest of it is going to
13 be a hill of beans, but if it does become relevant, then
14 I'll -- it's been identified and it's in the record, and
15 I'll come back and identify what I want to, what I think is
16 relevant.

17 JUDGE SIPPEL: Well, I'm prepared at this time to
18 overrule the objection. I understand there may be more here
19 than we need to see in this document, but I think for
20 completion purposes of the document, it is not -- it is not
21 overly burdensome for this record in terms of the number of
22 pages, and it has been identified as being a source of an
23 effective date of the final modification to the plan, and
24 that's a -- I think that will be a help, at least in terms
25 of factually accounting for what's happened with the

1 bankruptcy issue -- not the issue, but the bankruptcy facet
2 of the testimony.

3 But I understand your objection, Mr. Hutton. I
4 will have a continuing objection on relevancy grounds. I am
5 going to overrule the objection and receive Adams Exhibit 20
6 into evidence at this time.

7 (The document referred to,
8 previously identified as Adams
9 Exhibit No. 20, was received
10 in evidence.)

11 MR. BECHTEL: I now direct the attention of all
12 parties and the Court to Adams Exhibit 15, which are minutes
13 of the meeting of the directors, 1991 to 1995. Exhibit 15,
14 turn to page 72 of that exhibit where you will find minutes
15 of a meeting of July 31, 1991.

16 THE WITNESS: Yes.

17 JUDGE SIPPEL: I'm sorry. What page is that
18 again?

19 MR. BECHTEL: Page 72.

20 JUDGE SIPPEL: July 31, 1991. I have that. Thank
21 you.

22 MR. BECHTEL: Go to the next page, which would be
23 page 73 of the exhibit, page 2 of the minutes, and I address
24 the attention of all concerned to the second full paragraph
25 commencing, "Micheal Parker opened the meeting with a

1 discussion."

2 JUDGE SIPPEL: Do you see that, Mr. Parker?

3 THE WITNESS: Yes, I do.

4 BY MR. BECHTEL:

5 Q And it's true, is it not, that you conducted the
6 discussion that is described in these minutes?

7 A That is correct.

8 MR. BECHTEL: With the request that it be marked
9 for identification as Adams Exhibit 21, I am handing out an
10 FCC Form 216 bearing an FCC file number of BTCCT-910814KE,
11 and there follows Exhibits 1, 2, 3, and the very last page
12 is a copy of a paycheck co-signed by Barbara Willlliamson and
13 George Mattmiller, and the total package by my count is 17
14 pages. Thank you, sir.

15 (The document referred to was
16 marked for identification as
17 Adams Exhibit No. 21.)

18 (Pause.)

19 BY MR. BECHTEL:

20 Q And my question to you, Mr. Parker, is: Is this
21 the application that was prepared and filed with the FCC to
22 which you made reference in the meeting of the board of
23 directors, the minutes of which we just looked at?

24 MR. HUTTON: I'm going to object based on lack of
25 foundation. If you want to excuse the witness, we can, but

1 I don't see a reference to an application in the directors'
2 minutes that Mr. Bechtel has referred to.

3 JUDGE SIPPEL: Well, let's see what the witness
4 can do. It's a fact question on what may or may not be in
5 the document. Let's see what the witness can do with the
6 question.

7 MR. BECHTEL: Well, in response to that argument,
8 maybe my bifocals were out of whack, but the paragraph
9 reads, "Micheal Parker opened the meeting with a discussion
10 of the filing that was required with the FCC, transferring
11 from a debtor of possession position to new ownership. He
12 stated that the status of the stock held by Henry M.
13 Aurandt, M.D., was still unresolved. He stated that he was
14 going to file the amount of the stock held by Dr. Aurandt in
15 the Plan of Organization with the FCC. He stated that as
16 long as there wasn't an ownership transfer amounting to more
17 than 50 percent of the stock, the terms will meet with the
18 approval of the FCC."

19 And it seems to me that that's a clear reference
20 to a filing of an application with the FCC, and I'm asking
21 the witness is this the application.

22 JUDGE SIPPEL: So I'm going to reserve on the
23 objection because I don't think that the witness has not
24 answered -- maybe we need a foundation question. The
25 question speaks for itself, so I am going to permit -- if

1 the witness can answer that -- we're just simply identifying
2 a document is what we are doing.

3 MR. HUTTON: I understand that, Your Honor, but
4 the way the question was framed, it sounds to me as if it
5 was implying that the application had already been filed
6 when in fact the application was filed after the minutes of
7 the meeting.

8 JUDGE SIPPEL: Well, you know, the language of the
9 minutes will speak for itself. This would be the document.
10 If a clarification is needed, we can get it. But I mean,
11 let's just try and keep this on level one before we move
12 into level two.

13 MR. BECHTEL: Judge, I read the FCC file number
14 that shows it was filed on August 14th, after the meeting.

15 JUDGE SIPPEL: All right.

16 MR. HUTTON: I think you assumed that the witness
17 understood how to read FCC file numbers, and I'm not sure
18 that's the case.

19 JUDGE SIPPEL: Well, he can say that. I mean, if
20 he doesn't understand something, he can say that.

21 MR. HUTTON: I understand, Your Honor, but I was
22 just objecting on grounds of foundation. Now that it's been
23 clarified, I have no objection.

24 JUDGE SIPPEL: Thank you. All right.

25 Would you give me the page number to that minute

1 again, please, sir.

2 MR. BECHTEL: Yes, sir. It's page 72, is the page
3 of the minutes, and the page we are reading from is page 73,
4 Exhibit 15.

5 JUDGE SIPPEL: You can answer the question.

6 (Pause.)

7 THE WITNESS: To answer your question, it appears
8 that this is part of the application. This is not -- I am
9 not an expert on this but the exhibits are here but I don't
10 see the -- unless there is only a one-page entry and
11 everything else is exhibits. I'm not sure that this is a
12 complete application.

13 JUDGE SIPPEL: Well, was it meant to be? This is
14 a cross-examination document that Mr. Bechtel prepared for
15 cross-examination.

16 THE WITNESS: I think the question to me, Your
17 Honor, was whether this was the application.

18 JUDGE SIPPEL: It was. I'm not arguing. No, you
19 are responding. I want to see if there is a way of getting
20 clarification.

21 MR. BECHTEL: I agree with you, Mr. Parker. There
22 should be another page. There should be a second page.

23 THE WITNESS: Okay.

24 MR. BECHTEL: I don't know why it's not attached.
25 We will try to get it.

1 THE WITNESS: Okay. I would think you are correct
2 in terms of this is part of a document that undoubtedly was
3 filed on the 14th of August.

4 MR. BECHTEL: Thank you, sir.

5 (Pause.)

6 MR. BECHTEL: I would ask that Adams Exhibit 22 be
7 placed upon a one-page letter dated October 22, 1991 to the
8 Federal Communications Commission by Ms. Paula Friedman.

9 JUDGE SIPPEL: This one-page document will be
10 marked as Adams Exhibit 22 for identification.

11 (The document referred to was
12 marked for identification as
13 Adams Exhibit No. 22.)

14 MR. BECHTEL: The purpose of the offer of this
15 exhibit -- the identification and offer of this exhibit is
16 to reflect that the application was granted on August 27,
17 1991, and by this letter, Ms. Friedman asked for an
18 extension of time to consummate the transfer of control, one
19 additional 60 days, stating the reasons therefore.

20 I have no questions for this witness regarding the
21 exhibit and I offer it in evidence.

22 JUDGE SIPPEL: Any objection?

23 MR. HUTTON: Yes, objection; grounds of relevance.

24 JUDGE SIPPEL: I take it you're based -- the
25 relevance as you indicated earlier with respect to the

1 earlier exhibit, the bankruptcy filing?

2 MR. BECHTEL: I'm trying to establish a trail of
3 what happened.

4 JUDGE SIPPEL: Mr. Shook?

5 MR. SHOOK: No objection.

6 JUDGE SIPPEL: I'm going to overrule the objection
7 and receive it into evidence.

8 (The document referred to,
9 previously identified as Adams
10 Exhibit No. 22, was received
11 in evidence.)

12 MR. BECHTEL: And I ask that Adams Exhibit 23 be
13 affixed to a one-page letter dated November 13, 1991, to
14 Ms. Friedman from our good friend, Mr. Pendarvis, of the
15 FCC.

16 JUDGE SIPPEL: This is a one-page document to be
17 marked for identification as Adams Exhibit 23. It's dated
18 November 13, 1991, one page, a one-page letter.

19 (The document referred to was
20 marked for identification as
21 Adams Exhibit No. 23.)

22 MR. BECHTEL: The purpose of this exhibit is to
23 reflect that Mr. Pendarvis granted the requested extension
24 of time to consummate the transfer of control, and I move
25 its admission.

1 JUDGE SIPPEL: Same objection?

2 MR. HUTTON: Yes, Your Honor.

3 JUDGE SIPPEL: Mr. Shook?

4 MR. SHOOK: None.

5 JUDGE SIPPEL: The objection is overruled. It's
6 received as Adams Exhibit 23.

7 (The document referred to,
8 previously identified as Adams
9 Exhibit No. 23, was received
10 in evidence.)

11 JUDGE SIPPEL: My ruling will be the same with
12 respect to Exhibit 22 if that has not been moved. That's
13 the other letter from Paula Friedman. Maybe I did rule on
14 that.

15 Have you moved Paula Friedman into evidence?

16 MR. BECHTEL: I think I did, yes, sir.

17 JUDGE SIPPEL: I'm taking -- I know there is going
18 to be the same objection, but I just want to be sure that
19 the record is clear.

20 (The document referred to,
21 previously identified as Adams
22 Exhibit No. 21, was received
23 in evidence.)

24 MR. BECHTEL: Adams Exhibit 24, I distribute a
25 document consisting of a bunch of certificates, and while

1 this has not been numbered in a conventional way, the
2 certificate numbers start 1-A and go to --

3 JUDGE SIPPEL: Stock certificates?

4 MR. BECHTEL: Well, they are stubs for stock
5 certificates. They appear to be stubs for stock
6 certificates, from 1-A to 50-A. I ask that this be marked
7 as Adams Exhibit 24.

8 JUDGE SIPPEL: The reporter will mark that
9 document as Adams 24 for identification.

10 (The document referred to was
11 marked for identification as
12 Adams Exhibit No. 24.)

13 BY MR. BECHTEL:

14 Q Mr. Parker, my experience as a stock transfer
15 agent is limited. It appears to me that the top part of the
16 certificate reflects an issue of shares of stock in Reading
17 Broadcasting, Inc. on October 15, 1991; is that accurate?

18 A No, that is not accurate.

19 Q Then please tell me what is accurate.

20 A If you start down any one of these certificates,
21 as I read it, it says it was issued -- let's take the first
22 certificate, since that's Partel, Inc. It was dated
23 December 31, 1991.

24 Q I'm sorry. I said the top part.

25 A Hmmm?

1 Q I said the top part of this. I asked you about
2 the top part of the certificate.

3 A And you asked me if it was October 15, 1991, and
4 that's incorrect. It's December 31, 1991.

5 Q Okay. I'm sorry. I interrupted you. Please
6 continue.

7 A Well, if you look down, it was issued to Partel,
8 dated December 31, 1991, and it was transferred from Partel
9 and it says "Correction of original certificate."

10 Now, in this case --

11 JUDGE SIPPEL: What does the next line say about
12 the date, though?

13 THE WITNESS: Well, in other words, it was -- the
14 original certificate that this one is correcting was dated
15 October 15, 1991. The new certificate is dated December 31,
16 1991.

17 I would have to go back and look at the original
18 certificate to see what changed, but I do note here Meridian
19 Bank, and there was a requirement under the bankruptcy plan
20 and reorganization that all of the certificates have a
21 legend on them, and these may be the legended certificates,
22 because I note the date is the identical date that I signed
23 the agreements with Meridian Bank.

24 BY MR. BECHTEL:

25 Q In effect, a pledge is on it?

Heritage Reporting Corporation
(202) 628-4888

1 A Well, the plan of reorganization which you
2 introduced, it was one of the exhibits that -- or the
3 amended plan that you introduced as one of your exhibits as
4 extensive provisions with regard to Meridian Bank, those
5 provisions took months to negotiate and complete, and they
6 culminated on December 31, 1991, and I'm assuming that the
7 bank required reissuance of the certificates with the stock
8 legend that we had agreed to on them on that date. That
9 would be my best recollection.

10 I didn't do anything that day other than sit in
11 the bank board room and sign documents, so I'm assuming that
12 the share certificates that originally were issued on
13 October 15th had to be reissued and new certificates because
14 of the bank's legend.

15 Q The bank was getting a security interest, not fee,
16 simply ownership at the time?

17 A That is correct, but every stock certificate of
18 Reading Broadcasting has a legend on the back of it which in
19 effect pledges that certificate as part of the plan of
20 reorganization in the event of a default to the bank, and
21 this was the culmination of that.

22 Q Now, go back to the October 15th date, 1991.

23 A Yes.

24 Q It's true, is it not, that October 15th was the
25 date when the initial issues of stock followed the effective

1 date of the plan of organization?

2 A I believe that is correct.

3 MR. BECHTEL: I move this exhibit into evidence.

4 JUDGE SIPPEL: Same objection?

5 MR. HUTTON: Yes, Your Honor.

6 JUDGE SIPPEL: Mr. Shook?

7 MR. SHOOK: None.

8 JUDGE SIPPEL: Overruled. It's received as
9 Adams 24.

10 (The document referred to,
11 previously identified as Adams
12 Exhibit No. 24, was received
13 in evidence.)

14 MR. BECHTEL: Marking for identification as Adams
15 Exhibit 25 a letter dated October 25, 1991, to the
16 shareholders of Reading Broadcasting, Inc. from Mr. Parker,
17 one page. There is enclosed a two-page Notice of Special
18 Meeting of Shareholders, and a one-page proxy.

19 JUDGE SIPPEL: Okay, the reporter -- upon
20 receiving that document, it will be marked by the reporter
21 as Adams Exhibit 25 for identification.

22 (The document referred to was
23 marked for identification as
24 Adams Exhibit No. 25.)

25 (Pause.)

1 BY MR. BECHTEL:

2 Q At the point in time when this letter was issued,
3 Mr. Parker -- let me try that again.

4 When you issued this letter as president and
5 signed it as president, you were doing so as president of
6 Partel, Inc. rather than Reading Broadcasting, Inc., were
7 you not?

8 A That's what it says, "As president of Partel,
9 Inc., I am notifying you that a special meeting of
10 shareholders of Reading Broadcasting, Inc. will be held at
11 6:00 p.m. on October 30, 1991."

12 Q Well, forgive me for asking a question that was
13 answered in the document. Sometimes lawyers do this kind of
14 thing.

15 And it's true, is it not, that Partel, Inc. has
16 the capacity to issue a notice of the special meeting
17 because it was a stockholder of Reading Broadcasting
18 Company; is that correct?

19 A That is correct.

20 Q Now, I notice that you -- I observed that you
21 noticed the meeting on five-day notice which appears to be
22 rather short, but I gather it's in strict keeping with the
23 bylaws or something?

24 A That is correct.

25 MR. BECHTEL: I move to have Exhibit 25 admitted.

1 JUDGE SIPPEL: Same objection?

2 MR. HUTTON: Yes, Your Honor.

3 JUDGE SIPPEL: Mr. Shook?

4 MR. SHOOK: No objection.

5 JUDGE SIPPEL: Okay. Adams 25 for identification
6 is received at this time as Adams 25.

7 (The document referred to,
8 previously identified as Adams
9 Exhibit No. 25, was received
10 in evidence.)

11 MR. BECHTEL: Bear with me one second, Judge.

12 JUDGE SIPPEL: Yes, sir.

13 Go off the record for a minute.

14 (Discussion off the record.)

15 JUDGE SIPPEL: Go ahead.

16 MR. BECHTEL: I am handing to the witness, Court
17 and counsel Minutes of a Meeting of Shareholders on October
18 30, 1991, which are 33 pages in length. These are identical
19 to pages 38 through 73 of the minutes reflected in Our
20 Exhibit 13, Minutes of Shareholders. The more legible
21 version that I'm handing out now will in due course be
22 substituted for the less readable version in our Exhibit 13.

23 JUDGE SIPPEL: All right. Counsel, you may
24 proceed and show what you have to the witness, and we will
25 have to mark this then as -- well, this is going to be

1 inserted into 13 as opposed to being substituted for 13; is
2 that correct?

3 JUDGE SIPPEL: Yes.

4 JUDGE SIPPEL: Mechanically, that's what you want
5 to do, right? You want to insert these pages into 13 and
6 take the old ones out. You're not going to just -- you
7 don't have a new 13 to swap?

8 MR. BECHTEL: That's correct.

9 JUDGE SIPPEL: Okay. Let's call this 13A so we
10 have a number for it.

11 (The document referred to was
12 marked for identification as
13 Adams Exhibit No. 13A and
14 received in evidence.)

15 JUDGE SIPPEL: And then without objection,
16 Mr. Bechtel, you will have until after the lunch break to
17 oversee the substitution of these pages in Exhibit 13.

18 MR. BECHTEL: Yes, sir.

19 JUDGE SIPPEL: And you can discard the old
20 unreadable pages.

21 (Pause.)

22 BY MR. BECHTEL:

23 Q I direct your attention to page 8 of Exhibit 13.

24 A Is that the actual page 8? My copy doesn't have
25 any numbers on it.

1 Q It doesn't?

2 A Well, on the side like your other exhibits are.

3 Q No, no, it's the actual page 3 down at the bottom.

4 A Okay, I gotcha.

5 Q Okay. Now, I'm referring you to the bottom part
6 of that page and asking, it's true, is it not, that the
7 order of business was to remove all members of the board?

8 A Yes, that was item number two on the notice of
9 special meeting of shareholders of Reading Broadcasting,
10 Inc.

11 Q Then if you turn to the next page, four or five
12 lines down from the top, the order of business was that
13 there will be five positions on the board of directors.

14 A That is correct.

15 Q Then if you go down the line, you opened the
16 nominations in about the middle of the page. You nominated
17 Dr. Clymer; is that correct?

18 A That is correct.

19 Q How had you known Dr. Clymer?

20 A Dr. Clymer was, I think, a life-long resident of
21 Reading, a neurologist, retired, who was one of the original
22 investors in Reading Broadcasting. He had been on the
23 bank -- boards of several banks in the community.

24 He was a shareholder at the time I came to
25 Reading. I knew him in that capacity, and I would say this.

1 He was probably, by the other doctors in the group -- and
2 this was a group, Reading Broadcasting, primarily a group of
3 doctors and lawyers -- and he was the most respected member
4 of the doctors group.

5 JUDGE SIPPEL: In what capacity? As a business
6 person or as a physician?

7 THE WITNESS: Both. He probably had 50 IQ points
8 on all the other people in the group.

9 BY MR. BECHTEL:

10 Q On the same page toward the bottom it was you who
11 nominated Reverend Frank McCracken; is that correct?

12 A Yes.

13 Q How did you know Mr. McCracken?

14 A Mr. McCracken was the leader of the largest
15 Afro-American church in Reading. He was the pastor of that
16 church. He was the -- I think they called him executive
17 director, but he clearly was the head of the Police Athletic
18 League, which I believe you compare it to like a boys club.
19 Kids go there after school, basketball, a lot of other
20 activities.

21 And he was very involved in the community. I was
22 introduced to him by, I believe, one of the -- one of the
23 staff people at the station introduced me to Reverend
24 McCracken -- and a very highly respected member of the
25 community.

1 Q Top of the next page, you nominated Judge Rose.

2 A Yes.

3 Q How did you come to know Judge Rose?

4 A Well, Judge Rose was at the time a senior
5 municipal court judge in Philadelphia. After you reach the
6 age of retirement in Pennsylvania, if you are a senior
7 judge, you are appointed by the sitting judges to hear cases
8 like any other judge does, but you don't have to stand for
9 election anymore.

10 And I met Judge Rose, he and his wife sat next to
11 me on a trip. They were flying back from Alaska, came to
12 Seattle and got on a plane for Pennsylvania, to
13 Philadelphia, and I sat next to them on the plane and met
14 them, and Judge Rose took an interest in Reading
15 Broadcasting and in fact had assisted Reading Broadcasting
16 in coming out of bankruptcy. He more or less gave us the
17 guidance on how best to deal with our tower situation, is
18 probably the most significant contribution he made.

19 Q And he gave you some insight into Philadelphia for
20 you --

21 A Oh, Reading, Philadelphia, Pennsylvania is -- he
22 comes from an old Pennsylvania family that's very involved.
23 His brother had been on the city council in Philadelphia and
24 they were very involved. They owned property throughout the
25 area.

1 Q Had you and he become close friends and
2 socialized?

3 A I would say that, no. He and I would be -- we are
4 close friends now at this juncture. He was more of an
5 associate who was interested in what we were doing.

6 MR. BECHTEL: Bear with me one second, Judge.

7 JUDGE SIPPEL: Sure. Let's go off the record for
8 a minute.

9 (Discussion off the record.)

10 BY MR. BECHTEL:

11 Q Did you sign your deposition, Mr. Parker?

12 A I think I'm still -- still reading it, but I
13 haven't found any major mistakes.

14 Q Do you know that it's your duty to sign your
15 deposition?

16 A Oh, I'll --

17 (Pause.)

18 JUDGE SIPPEL: Before you go on, Mr. Bechtel, it's
19 11:00. I was wondering -- the witness has been on the stand
20 since 9:30. Do you want to take a short break?

21 MR. BECHTEL: Yes, sir.

22 JUDGE SIPPEL: And then we'll come back at a
23 quarter after 11, and we'll finish up at 12 noon and come
24 back at 1:30? Does that schedule permit the completion of
25 his testimony today as far as everybody is concerned?

1 MR. BECHTEL: I'm moving along as fast as I had
2 hoped.

3 JUDGE SIPPEL: Okay. Well, let's take it one step
4 at a time.

5 Before I shot off here, I want to say that my
6 instruction with respect to this 13A, that is, the
7 substituted pages 38 to 73, take the time, if you would,
8 Mr. Bechtel, to have those numbers reprinted on the copies
9 that are going to be substituted. So before we complete
10 this week, that is put back into Exhibit 13 so that
11 everything is in place with a number.

12 MR. BECHTEL: Exactly.

13 JUDGE SIPPEL: Follow? But do keep Exhibit 13A
14 with the reporter as a separate exhibit so that it's
15 understood what we are talking about.

16 MR. BECHTEL: Okay.

17 JUDGE SIPPEL: And that's it.

18 MR. COLE: Your Honor, on that score, because I'm
19 the one who usually handles the administrative aspects of
20 this process, would it be suitable to have the substituted
21 pages, number 38A through 73A, so that we will be able to
22 see them and then place those numbers into the old 13; that
23 if we are looking through 13, we will be able to determine
24 which ones were the substitute pages?

25 JUDGE SIPPEL: Makes sense. Good idea.